

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

(1) RUSSELL FOSTER and)	
(2) LOIS FOSTER, husband and wife,)	
)	
Plaintiffs,)	
)	
v.)	Case No. CIV-05-01228-M
)	
(1) EXXON MOBIL CORPORATION,)	
a New Jersey corporation, and)	
(2) DUKE ENERGY FIELD SERVICES,)	
LP., a Delaware limited partnership,)	
)	
Defendants.)	

AFFIDAVIT OF LOIS FOSTER

I, Lois Foster, being duly sworn upon oath state:

1. I am a Plaintiff in the above-captioned action. My husband, Russell Foster, is also a Plaintiff in the case. The statements made herein are made of my own personal knowledge.

2. We own 312 acres of farm land located near Alex, in Grady County, Oklahoma. We acquired a portion of the property from my father by virtue of a deed dated 2/4/75. We acquired the rest of the property by virtue of deeds dated 11/28/00, 7/17/01, 4/19/02, 4/23/02 and 4/29/02. True and correct copies of the deeds are attached hereto.

3. We have resided on the property since the early 1970's and raised our three daughters there.

4. The Hughes Compressor Station is located on land right next to our property.

5. I understand that in early 2003 a man hired by Exxon Mobil Corporation, Michael Sias, contacted Russell about putting some monitoring wells on our property. I did not have any direct communications with Mr. Sias or anyone else from Exxon about putting wells on our property. Before this lawsuit was filed, no one from Exxon Mobil ever advised me that pollution from the Hughes Compressor Station had affected the groundwater of our property.

6. Before this lawsuit was filed, no one from Duke Energy Field Services ever advised me that



No Revenue Stamps Required - 68 O.S. Sec. 5102(4)

62684

BOOK 987 PAGE 259
WARRANTY DEED
 (Statutory Form - Individual)

STATE OF OKLAHOMA
 GRADY COUNTY SS.
 THIS INSTRUMENT WAS FILED FOR RECORD
 on the 5 day of Feb. A.D., 1975
 at 3:30 o'clock P.M., and duly recorded
 in Book 987 on Page 259

MATTY BALLARD, County Clerk
 By *Geraldine Osweh*

KNOW ALL MEN BY THESE PRESENTS:

THAT S. S. Hughes, an unmarried man,

part Y of the first part, in consideration of the
 sum of Ten and No/100 dollars,

and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, do eshereby grant, bargain, sell and convey unto LOIS ROENA FOSTER

Minneapolis, Minn. R. 1

part Yof the second part, the following described real property and premises situate in Grady

County, State of Oklahoma, to-wit:

Lots 1 and 2 and East one-half of Lot 3 and W $\frac{1}{2}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ and SW $\frac{1}{4}$ of
 NE $\frac{1}{4}$ and E $\frac{1}{2}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ and NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$
 of Section Five (5), Township Four (4) North, Range Six (6) West of
 Indian Meridian, containing 177.51 acres more or less;

Less and except all oil, gas and other minerals,

SUBJECT TO A LIFE ESTATE which said Grantor reserves unto himself for
 and during his natural lifetime,

together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said part Y of the second part,

her heirs and assigns forever, free, clear and discharged of and from all former grants,
 charges, taxes, judgments, mortgages and other liens and incumbrances of whatsoever nature.

Signed and delivered this 4th day of February, 19 75

S. S. Hughes
 (S. S. Hughes)

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Oklahoma, County of Garvin, SS.Before me, a Notary Public in and for said County and State, on this 5th day of February, 19 75,personally appeared S. S. Hughes, an unmarried man,

to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that he executed the
 same as his free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My commission expires

Nov. 10, 1975

Mary L. Barber
 Notary Public

Foster 001

CERTIFICATE OF DEATH

LOCAL FILE NUMBER 8650		STATE FILE NUMBER	
1. DECEDENT'S LEGAL NAME (First, Middle, Last, Suffix) SAMUEL SIDNEY HUGHES		2. SEX M	3. SOCIAL SECURITY NUMBER 448-01-1090
4. EVER IN U.S. ARMED FORCES? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
5a. AGE - Last birthday (years) 96	5b. UNDER 1 YEAR Months: _____ Days: _____ Hours: _____ Minutes: _____	5. DATE OF BIRTH 3-23-1907 (Mo/Day/Yr)	
6a. RESIDENCE - State Oklahoma		7. BIRTH PLACE (City and State or Foreign Country) Culman, Alabama	
6b. RESIDENCE - County Grady		8c. RESIDENCE - City or Town Alex	
8d. RESIDENCE - Zip Code 73002		8e. RESIDENCE - Inside City Limits? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
8f. RESIDENCE - Street and Number 1/2 mile east of Alex		8g. RESIDENCE - Apartment Number	
9. MARITAL STATUS AT TIME OF DEATH <input type="checkbox"/> Married <input type="checkbox"/> Never Married <input checked="" type="checkbox"/> Widowed <input type="checkbox"/> Divorced <input type="checkbox"/> Married, but separated <input type="checkbox"/> Unknown		10. SURVIVING SPOUSE'S NAME (If wife, give name prior to first marriage) widowed	
11. FATHER'S NAME (First, Middle, Last) Robert Hughes		12. MOTHER'S NAME PRIOR TO FIRST MARRIAGE (First, Middle, Last) Amelia Pear	
13. DECEDENT OF HISPANIC ORIGIN? (Check the box that best describes whether the decedent is Spanish/Hispanic/Latino. Check the "No" box if the decedent is not Spanish/Hispanic/Latino.) <input checked="" type="checkbox"/> No, not Spanish/Hispanic/Latino <input type="checkbox"/> Yes, Mexican, Mexican American, Chicano <input type="checkbox"/> Yes, Puerto Rican <input type="checkbox"/> Yes, Cuban <input type="checkbox"/> Yes, other Spanish/Hispanic/Latino (specify) _____		14. DECEDENT'S RACE (Check one or more races to indicate what the decedent considered himself or herself to be) <input checked="" type="checkbox"/> White <input type="checkbox"/> Black or African American <input type="checkbox"/> American Indian or Alaska Native (Name of the enrolled or principal tribe) _____ <input type="checkbox"/> Asian Indian <input type="checkbox"/> Chinese <input type="checkbox"/> Filipino <input type="checkbox"/> Japanese <input type="checkbox"/> Korean <input type="checkbox"/> Vietnamese <input type="checkbox"/> Other Asian (Specify) _____ <input type="checkbox"/> Pacific Islander (Specify) _____ <input type="checkbox"/> Other (Specify) _____	
15. DECEDENT'S EDUCATION (Check the box that best describes the highest degree or level of school completed at the time of death.) <input type="checkbox"/> 8th grade or less <input type="checkbox"/> 9th - 12th grade, no diploma <input checked="" type="checkbox"/> High school graduate or GED completed <input type="checkbox"/> Some college credit but no degree <input type="checkbox"/> Associate degree (e.g. AA, AS) <input type="checkbox"/> Bachelor's degree (e.g. BA, AB, BS) <input type="checkbox"/> Master's degree (e.g. MEd, MA, MS, MEng, MSH, MEdA) <input type="checkbox"/> Doctorate (e.g. PhD, EdD) or Professional degree (e.g. MD, JD)			
16. DECEDENT'S USUAL OCCUPATION (Indicate type of work done during most of working life. DO NOT USE RETIRED.) Farmer / Rancher		17. KIND OF BUSINESS / INDUSTRY own Farm/Ranch	
18a. INFORMANT'S NAME Lois Foster		18b. RELATIONSHIP TO DECEDENT Daughter	
18c. MAILING ADDRESS (Street and Number, City, State, Zip Code) Route 1, Ninnekah, OK 73067			
19. METHOD OF DISPOSITION: <input checked="" type="checkbox"/> Burial <input type="checkbox"/> Cremation <input type="checkbox"/> Donation <input type="checkbox"/> Entombment <input type="checkbox"/> Removal from state <input type="checkbox"/> Other (specify) _____		20. PLACE OF DISPOSITION (Name of cemetery, crematory, other place) Bradley Cemetery	
21. LOCATION - City, Town and State Bradley, Oklahoma			
22. NAME AND COMPLETE ADDRESS OF FUNERAL FACILITY Sevier Funeral Home 702 Chickasha Avenue, Chickasha, OK 73018		23. SIGNATURE OF FUNERAL HOME DIRECTOR OR FAMILY MEMBER ACTING AS SUCH <i>[Signature]</i>	
24. PH ESTABLISHMENT LICENSE # 1056 ES			

25. PLACE OF DEATH (Check only one; see instructions)		26. COUNTY OF DEATH Grady	
IF DEATH OCCURRED IN A HOSPITAL: <input checked="" type="checkbox"/> Inpatient <input type="checkbox"/> Emergency Room/Outpatient <input type="checkbox"/> Dead on Arrival		IF DEATH OCCURRED OTHER THAN IN A HOSPITAL: <input type="checkbox"/> Hospice Facility <input type="checkbox"/> Nursing home/Long term care facility <input type="checkbox"/> Decedent's home <input type="checkbox"/> Other (specify) _____	
27. FACILITY NAME (If not institution, give street & number) Grady Memorial Hospital		28. CITY OR TOWN, STATE AND ZIP CODE OR LOCATION OF DEATH Chickasha, OK 73018	
29. DATE OF DEATH 2-7-2004 (Mo/Day/Yr)		30. TIME OF DEATH 10:45 a.m. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
31. WAS MEDICAL EXAMINER CONTACTED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		32. WAS AN AUTOPSY PERFORMED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
33. WERE AUTOPSY FINDINGS AVAILABLE TO COMPLETE THE CAUSE OF DEATH? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
34. PART I. Enter the chain of events (diseases, injuries or complications - that directly caused the death. DO NOT enter terminal events such as cardiac arrest, respiratory arrest or ventricular fibrillation without showing the etiology. DO NOT abbreviate. Enter only one cause on a line. Add additional lines if necessary.) IMMEDIATE CAUSE (Final disease or condition resulting in death) → a. Aspiration pneumonia Due to (or as a consequence of): b. Hip fracture Due to (or as a consequence of): c. _____ Due to (or as a consequence of): d. _____		35. PART II. Enter other significant conditions contributing to death but not resulting in the underlying cause given in PART I. Approximate interval Onset to death: 24 hrs 24 hrs	
36. MANNER OF DEATH <input checked="" type="checkbox"/> Natural <input type="checkbox"/> Homicide <input type="checkbox"/> Accident <input type="checkbox"/> Suicide <input type="checkbox"/> Pending investigation <input type="checkbox"/> Could not be determined		37. IF FEMALE: <input type="checkbox"/> Not pregnant within past year <input type="checkbox"/> Pregnant at time of death <input type="checkbox"/> Not pregnant, but pregnant within 42 days of death <input type="checkbox"/> Not pregnant, but pregnant 43 days to 1 year before death <input type="checkbox"/> Unknown if pregnant within the past year	
38. DID TOBACCO USE CONTRIBUTE TO DEATH? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		39. DATE OF INJURY 2/7/04 (Mo/Day/Yr)	
40. TIME OF INJURY		41. PLACE OF INJURY (e.g., Decedent's home; construction site; wooded area)	
42. DESCRIBE HOW INJURY OCCURRED.		43. INJURY AT WORK? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
44. LOCATION OF INJURY: State: _____ City or Town: _____ Zip Code: _____ Street and Number: _____ Apartment Number: _____		45. IF TRANSPORTATION INJURY, SPECIFY: <input type="checkbox"/> Driver/Operator <input type="checkbox"/> Passenger <input type="checkbox"/> Pedestrian <input type="checkbox"/> Other (specify) _____	
46. CERTIFIER (Check only one): ATTENDING PHYSICIAN: <input checked="" type="checkbox"/> Physician in charge of the patient's care <input type="checkbox"/> Physician in attendance at time of death only To the best of my knowledge, death occurred at the time, date, and place, and due to the cause(s) and manner as stated. <input type="checkbox"/> MEDICAL EXAMINER: On the basis of examination, and/or investigation, in my opinion, death occurred at the time, date and place, and due to the cause(s) and manner as stated. Signature of Certifier: <i>[Signature]</i>		47. NAME, ADDRESS AND ZIP CODE OF PERSON COMPLETING CAUSE OF DEATH (Item 34) Timothy Cook, M.D. 2100 Iowa Avenue Chickasha, OK 73018	
48. LICENSE NUMBER 21344		49. DATE CERTIFIED 2/10/2004 (Mo/Day/Yr)	
50. REGISTRAR'S SIGNATURE (Local) <i>[Signature]</i>		51. DATE RECEIVED BY LOCAL REGISTRAR 2/10/04 (Mo/Day/Yr)	
52. DATE RECEIVED BY STATE REGISTRAR			

STATE OF OKLAHOMA)

GRADY COUNTY)

I, GLENDA FENIMORE, Court Clerk within and for the State and County aforesaid, do hereby certify that the above and foregoing is a full, true and complete copy of a Certificate of Death received by me to be mailed to the State Department of Health, for permanent filing in Oklahoma City, Oklahoma.

Witness my hand as Clerk and Official Seal this 11th day of February 2004.

GLENDA FENIMORE, COURT CLERK

BY: *[Signature]*
Deputy

Foster 002

WARRANTY DEEDBOOK **3244** PAGE **194**

KNOW ALL MEN BY THESE PRESENTS:

15645

THAT Lynn Rolen and Ann Rolen, husband and wife, parties of the first part, in consideration of the sum of Twenty-one Thousand and No/100 (\$21,000.00), and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto Russell E. Foster and Lois R. Foster, husband and wife, Rt. 1 Box 50, Ninnekah, Oklahoma, 73067, as joint tenants and not as tenants in common, with the right of survivorship, the whole estate to vest in the survivor, parties of the second part, the following described real property and premises situate in Grady County, State of Oklahoma, to-wit:

An undivided one-half (1/2) interest in and to the East Half of Southwest Quarter (E/2 SW/4) and the Southwest Quarter of Southwest Quarter (SW/4 SW/4) and the South Half of Northwest Quarter of Southwest Quarter (S/2 NW/4 SW/4), Section Thirty-two (32), Township Five North (T5N), Range Six West (R6W), I.B.M.

Less and except all oil, gas, coal and other minerals

together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said parties of the second part, their heirs and assigns forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and incumbrances of whatsoever nature.

STATE OF OKLAHOMA, GRADY County
 Filed for record on the 24 day
 of December, 2005 at 8:00 AM
 Book 3244 at Page 194
 Documentary Stamp: \$31.50
 SHARON SHOEMAKE, County Clerk
Dei Rayburn Deputy



RETURN TO: Russell Foster, Rt. 1 Box 50, Ninnekah, OK 73067

206

Lyn

STA

COU

on
 Lyn
 ide
 ins
 the
 the

My

Signed and delivered this 28th day of November, 2000.

BOOK **3244** PAGE **195**

Lynn Rolen
Lynn Rolen

Ann Rolen
Ann Rolen

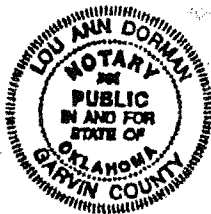
STATE OF OKLAHOMA)
)
COUNTY OF GARVIN) ss.

Before me, a Notary Public in and for this County and State, on this 28th day of November, 2000, personally appeared, Lynn Rolen and Ann Rolen, husband and wife, to me known to be the identical persons who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last written.

Lou Ann Dorman
Notary Public

My Commission Expires:
7-11-2000



NOTE: This deed is exempt from documentary stamp tax
pursuant to 68 Okla. Stat. Section 4.
STATE OF OKLAHOMA

COUNTY OF GRADY

BOOK 3376 PAGE 378

WARRANTY DEED

6243

Know all men by these presents: That PATSY JOAN HARRIS, party of the first part, in consideration of the sum of Ten Dollars (\$10.00), in hand paid, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto MARY KATHERINE HARRIS, party of the second part, the remainder interest in all of the said party of the first part's interest in the following described real property and premises, situated in Grady County, State of Oklahoma, to wit:

TRACT ONE: my undivided interest in and to the surface of the N 1/2 of S 1/2 of NE 1/4, and S 1/2 of N 1/2 of NE 1/4, and S 1/2 of N 1/2 of NW 1/4, and N 1/2 of SE 1/4 of NW 1/4, and NE 1/4 of SW 1/4 of NW 1/4, and NW 1/4 of NE 1/4 of NW 1/4, and SE 1/4 of SW 1/4 of NE 1/4 of Section 17, and S 1/2 of SE 1/4 of SE 1/4, and NE 1/4 of SE 1/4 of SE 1/4 of Section 7, Township 3 north, range 5 west, Grady County, Oklahoma, containing 208 acres, more or less.

TRACT TWO: my undivided interest in and to the minerals of the SE 1/4 of NW 1/4, and E 1/2 of SW 1/4 of NW 1/4, and S 1/2 of NE 1/4 of NW 1/4, and S 1/2 of NW 1/4 of NW 1/4, and NW 1/4 of NE 1/4 of NW 1/4, and SW 1/4 of NE 1/4, and S 1/2 of N 1/2 of NE 1/4, and N 1/2 of SE 1/4 of NE 1/4 of Section 17, Township 3 north, range 5 west, Indian Meridian, Grady County, Oklahoma, and consisting of 210 acres, more or less.

TRACT THREE: my undivided interest in and to the minerals of the S 1/2 of SE 1/4 of SE 1/4, and NE 1/4 of SE 1/4 of SE 1/4 of Section 7, Township 3 north, range 5 west, Grady County, Oklahoma, consisting of 30 acres, more or less.

TRACT FOUR: my undivided interest in and to the E 1/2 of SW 1/4, and SW 1/4 of SW 1/4, and S 1/2 of NW 1/4 of SW 1/4 of Section 32, Township 5 north, range 6 west, of the Indian Meridian, Grady County, Oklahoma, consisting of 140 acres, more or less, according to the Government Survey thereof.

TRACT FIVE: my undivided interest in and to a mineral interest in and to NE 1/4 of SW 1/4, and SE 1/4 of SW 1/4, and E 1/2 of NW 1/4 of SW 1/4, and NE 1/4 of SW 1/4 of SW 1/4, and W 1/2 of W 1/2 of SE 1/4, and NE 1/4 of NW 1/4 of SE 1/4 of Section 17, Township 3 north, range 5 west in Grady County, Oklahoma, consisting of 160 acres, more or less.

TRACT SIX: my undivided interest in and to an undivided 1/8 of 5/8 royalty interest in and to NW 1/4 of SW 1/4 of Section 9, Township 3 north, range 5 west, Grady County, Oklahoma.

together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same, reserving to the party of the first part, a life estate in said property.

To have and to hold said premises unto the said party of the second part, MARY KATHERINE HARRIS, her heirs, assigns forever, free, clear and discharged of and

*Return to: Mary Harris
1610 Woodhead*

Foster 005

from all former grants, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

BOOK 3376 PAGE 379

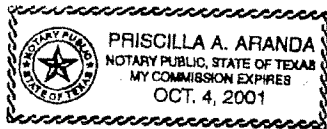
Signed and delivered this 17th day of July, 2001.

Patsy Joan Harris
PATSY JOAN HARRIS

STATE OF TEXAS

COUNTY OF HARRIS

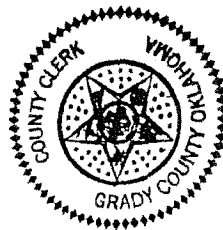
Before me, Notary Public, in and for this state, on this 17th day of July, 2001, personally appeared PATSY JOAN HARRIS to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that she executed the same as her free and voluntary act and deed for the uses and purposes therein set forth.



Priscilla A. Aranda
Notary Public

My Commission expires: October 4, 2001

STATE OF OKLAHOMA
GRADY COUNTY
THIS INSTRUMENT AS FILED FOR RECORD
ON 7th day of July, A.D. 2001
at 8:10 o'clock P.M. and duly
recorded in Book 3376 on page 378
by Sharon Shoemaker Deputy



800K 3376 PAGE 380 **JOINT TENANCY WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS:

6244

That **R. L. HARRIS, Successor Trustee of the Mary F. Harris 1986 Revocable Trust**, hereinafter referred to as first party, in consideration of the sum of \$5,415.66 and other valuable consideration in hand paid, the receipt of which is hereby acknowledged, do(es) hereby grant, bargain, sell and convey unto **RUSSELL E. FOSTER and LOIS R. FOSTER**, husband and wife as joint tenants, and not as tenants in common, with full rights of survivorship, the whole estate to vest in the survivor in the event of the death of either, hereinafter referred to as second party, whose mailing address is Rt. 1, Box 50, Ninnekah, OK 73067, the following described real property and premises, situate in Grady County, State of Oklahoma:

An undivided 1/12 interest in and to the surface estate only, exclusive of all mineral interest, in and to the E $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, Township 5 North, Range 6 West of the Indian Meridian,

together with the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

This instrument grants only what is commonly known as the surface rights in and to said property, the interest in all minerals being heretofore and herein reserved. Minerals as used herein includes any substance, mineral in character, or which substance is valuable in itself apart from the soil, and which may be used for commercial purposes, either presently or prospectively, and which substance may be removed from the soil without destroying the beneficial use of the property by the surface owner.

TO HAVE AND TO HOLD said described premises unto the said parties of the second part, as joint tenants, and to the heirs and assigns of the survivor, forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature, except easements and interests in the nature of easements, special assessments and minerals heretofore or herein reserved or excepted.

Signed and delivered this 19 day of 19 Apr, 2002.

R. L. Harris

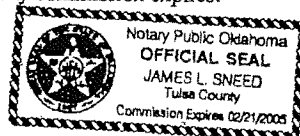
R. L. HARRIS, Successor Trustee of the
Mary F. Harris 1986 Revocable Trust

STATE OF OKLAHOMA, COUNTY OF TULSA, ss.

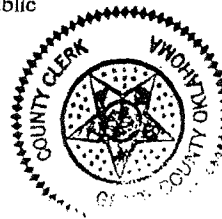
The foregoing instrument was acknowledged before me this 19th day of APRIL, 2002, by **R. L. HARRIS, Successor Trustee of the Mary F. Harris 1986 Revocable Trust**.

(Seal)

My commission expires:



STATE OF OKLAHOMA, GRADY County
Filed for record on the 19th day
of APRIL, 2002 at 8:00 AM
Book 6376 at Page 380
Documentary Stamps: \$ 16.25
SHARON SHOEMAKE, County Clerk
Sharon Shoemaker Deputy

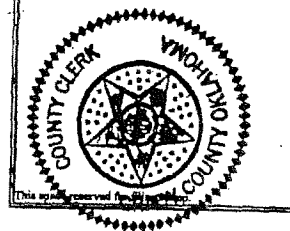


JOINT TENANCY WARRANTY DEED

BOOK 3376 PAGE 381

KNOW ALL MEN BY THESE PRESENTS:

6245



That JOAN VAN NORMAN s/p/a JOAN V. NORMAN now BUERSCHINGER, a single person, hereinafter referred to as first party, in consideration of the sum of \$5,416.66 and other valuable consideration in hand paid, the receipt of which is hereby acknowledged, do(es) hereby grant, bargain, sell and convey unto RUSSELL E. FOSTER and LOIS R. FOSTER, husband and wife as joint tenants, and not as tenants in common, with full rights of survivorship, the whole estate to vest in the survivor in the event of the death of either, hereinafter referred to as second party, whose mailing address is Rt. 1, Box 50, Ninnekah, OK 73067, the following described real property and premises, situate in Grady County, State of Oklahoma:

An undivided 1/12 interest in and to the surface estate only, exclusive of all mineral interest, in and to the E $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, Township 5 North, Range 6 West of the Indian Meridian,

together with the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

This instrument grants only what is commonly known as the surface rights in and to said property, the interest in all minerals being heretofore and herein reserved. Minerals as used herein includes any substance, mineral in character, or which substance is valuable in itself apart from the soil, and which may be used for commercial purposes, either presently or prospectively, and which substance may be removed from the soil without destroying the beneficial use of the property by the surface owner.

TO HAVE AND TO HOLD said described premises unto the said parties of the second part, as joint tenants, and to the heirs and assigns of the survivor, forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature, except easements and interests in the nature of easements, special assessments and minerals heretofore or herein reserved or excepted.

Signed and delivered this 23rd day of April, 2002.

Joan Van Norman Buerschinger
JOAN VAN NORMAN
s/p/a JOAN V. NORMAN now BUERSCHINGER

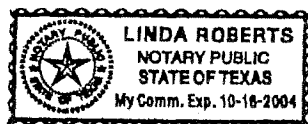
STATE OF TEXAS, COUNTY OF Boyle, ss.

The foregoing instrument was acknowledged before me this 23rd day of April, 2002, by JOAN VAN NORMAN s/p/a JOAN V. NORMAN now BUERSCHINGER, a single person.

(Seal)

My commission expires: 10/16/2004

Linda Roberts
Notary Public

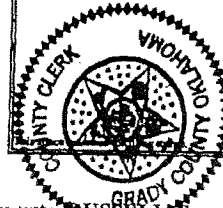


STATE OF OKLAHOMA, GRADY County
Filed for record on the 23rd day
of May, 20 02 at 8:10 PM
Book 3376 at Page 381
Documentary Stamps: \$ 16.25
SHARON SHOEMAKE, County Clerk
Devi Rappaport Deputy

JOINT TENANCY WARRANTY DEED

BOOK 3376 PAGE 382
KNOW ALL MEN BY THESE PRESENTS:

6246



That MARY KATHERINE HARRIS, a single person; ALAN AGEE, a single person; JAMES W. CARLTON, JR. and KATHLEEN CARLTON, husband and wife; and BRETT AGEE and CATHY AGEE, husband and wife, hereinafter referred to as first party, in consideration of the sum of \$21,666.68 and other valuable consideration in hand paid, the receipt of which is hereby acknowledged, do(es) hereby grant, bargain, sell and convey unto JAMES E. FOSTER and LOIS R. FOSTER, husband and wife as joint tenants, and not as tenants in common, with full rights of survivorship, the whole estate to vest in the survivor in the event of the death of either, hereinafter referred to as second party, whose mailing address is Rt. 1, Box 50, Ninnekah, OK 73067, the following described real property and premises, situate in Grady County, State of Oklahoma:

An undivided 1/3 interest in and to the surface estate only, exclusive of all mineral interest, in and to the E $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, Township 5 North, Range 6 West of the Indian Meridian,

together with the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

This instrument grants only what is commonly known as the surface rights in and to said property, the interest in all minerals being heretofore and herein reserved. Minerals as used herein includes any substance, mineral in character, or which substance is valuable in itself apart from the soil, and which may be used for commercial purposes, either presently or prospectively, and which substance may be removed from the soil without destroying the beneficial use of the property by the surface owner.

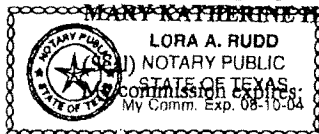
TO HAVE AND TO HOLD said described premises unto the said parties of the second part, as joint tenants, and to the heirs and assigns of the survivor, forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature, except easements and interests in the nature of easements, special assessments and minerals heretofore or herein reserved or excepted.

Signed and delivered this 29 day of April, 2002.

Mary Katherine Harris
MARY KATHERINE HARRIS
Alan Agee
ALAN AGEE
James W. Carlton, Jr.
JAMES W. CARLTON, JR.
Kathleen Carlton
KATHLEEN CARLTON
Brett Agee
BRETT AGEE
Cathy Agee
CATHY AGEE

STATE OF TEXAS, COUNTY OF Garvin, ss.

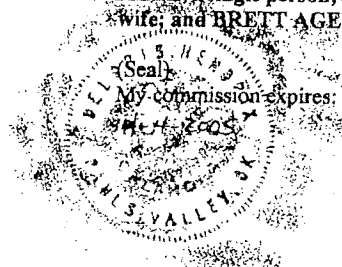
The foregoing instrument was acknowledged before me this 29 day of April, 2002, by MARY KATHERINE HARRIS, a single person.



Lora A. Rudd
Notary Public

STATE OF OKLAHOMA, COUNTY OF GARVIN, ss.

The foregoing instrument was acknowledged before me this 2nd day of May, 2002, by ALAN AGEE, a single person; JAMES W. CARLTON, JR. and KATHLEEN CARLTON, husband and wife; and BRETT AGEE and CATHY AGEE, husband and wife.



STATE OF OKLAHOMA, GRADY County
Filed for record on the 9th day
of May, 20 02, at 8:10 A M
Book 3376, at Page 382
Documentary Stamps: \$ 16.25
SHARON SHOEMAKER, County Clerk
Sharon Shoemaker Deputy

Dorinda Henderson
Notary Public

Foster 008